

UNSAFE STRUCTURES BOARD HEARING MINUTES OF September 17th, 2014

Members Present: James Cueva, Chairman James Starkweather, VC Ramon Arronte
Kevin Deeb Benjamin S. Essien Jose Escandell
Carlos Naumann
Aymara D. Riley

Excused Absent: Emile Amedee Gordon Loader Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Chris Angell, Asst. County Attorney

Court Reporter: Janice Aguirre, Miami-Dade County Court Reporters, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:26 P.M. on Wednesday, September 17th, 2014, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the July 16th, 2014, Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Official/Inspector**:

Unincorporated Miami Dade County:

DC20090126100U	23101 S. Dixie Highway
DCF2012112431U	14908 NE 6 Avenue, #1
DCF2012112822U	495 NW 72 Avenue, #1
DCF2013114156U	8000 SW 107 Avenue, #4
DCF2013114157U	8000 SW 107 Avenue, #15
DCF2013114158U	8000 SW 107 Avenue, #16
DCF2013114159U	8000 SW 107 Avenue, #18
DCF2013116295U	8000 SW 107 Avenue, #16B
DCF2013116296U	8000 SW 107 Avenue, #16C
DCF2013116297U	8000 SW 107 Avenue, #16D
DCF2013116298U	8000 SW 107 Avenue, #16E
DCF2013116299U	8000 SW 107 Avenue, #16F
DCF2013116300U	8000 SW 107 Avenue, #16G
DCF2013116301U	8000 SW 107 Avenue, #16H
DCF2013116302U	8000 SW 107 Avenue, #15B

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Miami Beach cases that were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County:

DC20140162657U	15425 SW 80 Street, #201-12
DCF2011111635U	8000 SW 107 Avenue, #23
DCF2012112332U	482 NW 165 Street Road, A
DCF2012112333U	486 NW 165 Street Road, B
DCF2012112334U	494 NW 165 Street Road, C
DCF2012112335U	498 NW 165 Street Road, D

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Unincorporated Miami Dade County:

DCF2012113165U	9225 SW 87 Avenue, A
DCF2012113166U	9227 SW 87 Avenue, B
DCF2012113167U	9229 SW 87 Avenue, D
DCF2012113168U	9231 SW 87 Avenue, C
DCF2013113993U	3235 NW 48 Street, #1
DCF2013113995U	3215 NW 48 Street, #1
DCF2013113996U	4800 NW 32 Avenue, #1
DCF2013113997U	4725 NW 33 Avenue, #1
DCF2013113999U	3260 NW 48 Street, #1
DCF2013114001U	3245 NW 47 Street, #1

City of Miami Beach:

BV13001076	410 76 Street
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Ms. Charles announced that the following Unincorporated Miami Dade County, City of Miami Beach, City of North Miami Beach and Village of Pinecrest cases that were **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DCF2001102615U	1 MDAD Bldg., 862-60-60A
DCF2001102624U	1 MDAD Bldg., 3040
DCF2013113802U	13801 Memorial Highway, #1

City of Miami Beach:

BV13001105	7718 Carlyle Avenue
BV14000699	7433 Collins Avenue
BV14000083	5111 Pine Tree Drive

City of North Miami Beach:

NMB-BV10-340	1374 NE 178 Street
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Village of Pinecrest Case:

VOP2014-001	6699 SW 127 Street
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The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:52 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2012112392U	19301 W. Dixie Highway, #1
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Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Property Owner's request for an extension of time to comply with the Board Order dated October 16th, 2013 had expired. He informed the Board that the Property Owner has failed to meet the time frames set forth in the Board Order and now seeks additional time to complete the necessary work. Mr. Lee further informed the Board that the Property Owner's attorney is present.

Mr. Brian Adler, Attorney, informed the Board that a new owner purchased the property through a short sale from the previous owner. He further informed the Board that the owner will be repairing the property and the permits have already been obtained. Mr. Adler then provided the Board with current photos of the property for the record. He assured the Board that the property owner would handle all matters in reference to the property and proceeded to request additional time to bring the property into compliance.

Mr. Starkweather asked how much time was needed to complete the repairs.

Mr. Adler replied that the property owner is taking all the necessary steps to comply and proceeded to give a background on the property. He then mentioned to the Board that their ultimate goal is to obtain a modified permit within 270 days and complete all repairs within a year.

Mr. Cueva inquired if there was a alternate plan and if something happened along the way, which could have slowed the process of repairing of the property.

Mr. Adler replied that the property owner is comfortable with the timeframe that had been requested.

Mr. Deeb clarified the timeframes of the previous Board Order.

Mr. Lee read into the record the previous Board Order for the Members.

Mr. Adler informed the Board that an active permit was obtained on August 12th, 2013 and revised on October 28th, 2013.

Ms. Amy Riley, Member, asked how can there be an active permit and what was the repair for.

Mr. Lee replied that an active permit can be issued prior to a hearing from a issuing of a Notice of Violation.

Mr. Essien asked if the property owner had the funding or will they be borrowing from the bank to complete the repairs.

Mr. Adler replied that at this time funding is not an issue.

Mr. Essien clarified of Mr. Adler if he was requesting 270 days from today's date.

Mr. Adler replied "yes." He then submitted a progress report to the Board for the record and proceeded to request that the Board modify the timeframes.

Mr. Starkweather informed Mr. Adler that the Board is only allowed to provide additional time on a extension request.

After further discussion, Mr. Starkweather moved that "The prior Board Order of October 16th, 2013 is modified to allow extension of time of seven hundred twenty (720) days from today's date to complete the construction." Mr. Essien moved to second the motion.

Motion passed 7 to 2. (Abel Ramirez and Jose Escandell were opposed)

(For a verbatim version, please refer to the transcripts).

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Board Information:

Mr. Essien then announced his resignation from the Unsafe Structures Board. He thanked the members for allowing him the opportunity to serve on the Unsafe Structures Board and wished them all the best.

Mr. Cueva then thanked Mr. Essien for his dedication and years of service to the Board.

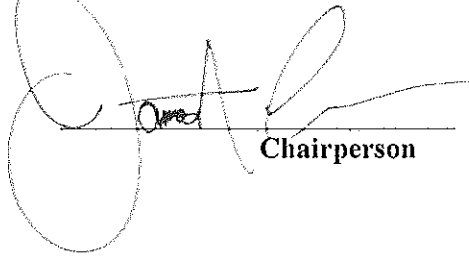
Ms. Kathy Charles announced to the Board that a new member from Commissioner Javier Souto (District 10) had been appointed to the Board.

There being no further business, a motion was made by Mr. Benjamin Essien and seconded by Mr. Starkweather to adjourn the meeting at 2:33 P.M.

Prepared by:



Recording Secretary



Chairperson

Date:

15 October 2014